

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEMO ENDORSED

CRAIG MOLESPHINI on behalf of himself and
derivatively on behalf of NUE-TRITION
WEIGHT MANAGEMENT, LLC, and
ELEPHANT ENTERTAINMENT INC.,
individually

Plaintiffs,

- against -

ANTHONY GIORDANO, NÜE
RESOURCE FINANCIAL CORP., and NÜE
RESOURCE FUNDING, LLC

Defendants,

-and-

NUE-TRITION WEIGHT MANAGEMENT,
LLC,

Nominal Defendant.

Case No. 1:20-cv-05427 (KPF)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the declaration in support, all exhibits thereto, and all prior pleadings and proceedings herein, Plaintiff, by his attorneys, will move this Court before the Honorable Katherine Polk Failla, United States District Judge, at the United States Courthouse for the Southern District of New York, 40 Foley Square, New York, New York, at such time to be set by the Court, for an Order ordering the lifting of the stay in place in this matter.

Dated: October 16, 2024
New York, NY

LAW OFFICE OF ALEXANDER SAKIN, LLC

/s/ Alexander Sakin

Alexander Sakin, Esq.
5 West 37th St., Ste. 601
New York, NY 10018
(917) 509-7573
Attorney for Plaintiffs

Seeing no opposition to Plaintiff's second motion to lift the stay in this action (Dkt. #41), the Court hereby GRANTS the motion and lifts the stay.

The parties are hereby ORDERED to file a joint status letter on or before **November 14, 2024**.

In lifting the stay, the Court takes no position regarding the records that Plaintiff is seeking.

The Clerk of Court is directed to terminate the pending motion at docket entry 41.

Dated: October 24, 2024
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE